

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION AT CHICAGO**

Nina Abdurakhmanova, Voluntary Administratrix
of the Estate of Ramiz Guliev, on behalf Ramiz
Guliev and all others similarly situated,

Plaintiffs,

-against-

GOLD STAR CARRIERS INC.,
GSC TRANSHOLDING LLC, GSC CARRIERS,
TTS TRANSPORT INC., VICTOR EXPRESS
TRUCKING, INC., VICTOR BARANOVICI,
ALEXANDRA CHISELIOV, and DANIELA
COSCODAN,

Defendants.

Case No.: 1:21-cv-4809 (JJT) (JTG)

Hon. Judge John J. Tharp Jr.

Mag. Judge Jeffrey T. Gilbert

JURY TRIAL DEMANDED

**DEFENDANTS' MOTION TO DISMISS
PLAINTIFF'S FIRST AMENDED COMPLAINT**

NOW COME Defendants Gold Star Carriers Inc., GSC Transholding LLC, GSC Carriers, TTS Transport Inc., Victor Express Trucking, Inc. (collectively, the “Corporate Defendants”), Victor Baranovici (“Baranovici”), Alexandra Chiseliov (“Chiseliov”), and Daniela Coscodan (“Coscodan”) (collectively, the “Individual Defendants”) (collectively, “Defendants”), by and through their undersigned attorneys, and pursuant to Federal Rule of Civil Procedure 12(b)(6), move to dismiss Voluntary Administratrix of the Estate of Ramiz Guliev, on behalf of Ramiz Guliev (“Guliev”), Plaintiff Nina Abdurakhmanova’s (“Plaintiff”) First Amended Complaint [Dkt. No. 6] (“Amended Complaint”) in its entirety. In support of their motion, Defendants state as follows:

1. On September 10, 2021, Plaintiff brought a Complaint [Dkt. No. 1] against Defendants¹ purporting to state four claims: (1) unpaid minimum wages in violation of Fair Labor Standards Act (“FLSA”) (Count I); (2) unpaid overtime in violation of FLSA (Count II); (3) unpaid wages in violation of the Illinois Minimum Wage Law (“IMWL”) (Count III); and (4) untimely paid wages in violation of the Illinois Wage Payment and Collections Act (“IWPCA”) (Count IV).
2. All of Plaintiff’s causes of actions should be dismissed pursuant to Federal Rule of Civil Procedure 12(b)(6) because Plaintiff fails to state a plausible claim upon which relief can be granted. *Ashcroft v. Iqbal*, 556 U.S. 662, 664 (2009); *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007).
3. The arguments and authority in support of this Motion are set forth in Defendants’ Memorandum in Support of their Rule 12(b)(6) Motion to Dismiss, which will be filed contemporaneously, and are incorporated herein by reference.

WHEREFORE, Defendants respectfully request this Court to grant their Motion, dismiss Plaintiff’s Amended Complaint in its entirety, and grant any other such relief as this Court deems just.

Dated: January 28, 2022

Respectfully submitted,

**GOLD STAR CARRIERS INC.,
GSC TRANSHOLDING LLC,
GSC CARRIERS, TTS TRANSPORT
INC., VICTOR EXPRESS TRUCKING,
INC., VICTOR BARANOVICI,
ALEXANDRA CHISELIOV, and
DANIELA COSCODAN,**

¹ On October 1, 2021, Plaintiff amended her Complaint [Dkt. No. 6] to revise Mr. Kataev’s signature line as “admitted *pro hac vice*”.

/s/ Sang-yul Lee

One of Their Attorneys

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CERTIFICATE OF SERVICE

I hereby certify that on January 28, 2022, I electronically filed the foregoing Defendants' Motion To Dismiss Plaintiff's First Amended Complaint with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record who are registered with the CM/ECF system.

/s/ Sang-yul Lee
Sang-yul Lee